January 16, 2004

missioner for Patents

O.Box 1450

Alexandria, VA 22313-1450

Re:

Applicant(s):

Bender, Theodore M. et al.

Assignee:

Cardica, Inc.

Title:

Tool for Creating an Opening in Tissue

Serial No.:

10/659,057

Examiner:

Not yet assigned

Docket No.:

143

Filed: September 9, 2003

Group Art Unit: 3731

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO form 1449; and
- (4) Return postcard.
- \boxtimes No additional fee is required.
- Also, charge any additional fees required and credit any overpayment to our Deposit \boxtimes Account No. 502108

Total: Respectfully submitted, \$

0.00

EXPRESS MAIL LABEL NO. EV302958549US

Brian A/Schar

Attorney for Applicant(s)

Reg. No. 45,076



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Bender, Theodore M. et al.

Assignee:

Cardica, Inc.

Title:

Tool for Creating an Opening in Tissue

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Group Art Unit:

3731

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143

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the information listed on the accompanying form PTO-1449 is brought to the attention of the Examiner. In accordance with 37 CFR § 1.98 (d) and MPEP 609(I)(A)(2), copies of the references listed on the form PTO-1449 and explanations of relevance of any non-English-language references are not included, because these references and explanations have been submitted in the parent application, U.S. Patent Application serial no. 10/054,745, of which this application is a continuation under 37 CFR 1.53(b).

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), and thus no petition or fee is required.

Respectfully submitted,

Brian A. Schar

Attorney for Applicant(s)

Reg. No. 45,076

Cardica, Inc.

900 Saginaw Dr.

Redwood City, CA 94063

FORM PTO-1449 ATTY, DOCKET NO. SERIAL NO. 143 10/659,057 CLIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S APPLICANT: INFORMATION DISCLOSURE STATEMENT Bender, Theodore M. et al. **FILING DATE: GROUP:** JAN 1 6 2004 & (Use several sheets if necessary) 9/9/03 3731 TRADEMARY U.S. PATENT DOCUMENTS SUB **EXAMINER** DOCUMENT NUMBER DATE CLASS NAME CLASS FILING DATE INITIAL 6/7/66 COLLITO 3,254,650 3,519,187 7/7/70 KAPITANOV, ET AL 3,577,979 5/11/71 GAAST 3,774,615 11/27/73 LIM, ET AL 4/19/77 GOOSEN 4,018,228 2/28/78 KAPITANOV ET AL 4,076,162 10/10/78 PORIER ET AL 4,118,806 7/29/80 SAKURA JR 4,214,587 8/12/80 DOWNIE, ET AL 4,216,776 4,217,664 8/19/80 FASO

9/21/92 KOLESOV, ET AL

11/19/85 SCHENCK, ET AL

8/5/86 CONTA, ET AL 8/26/86 BERGGREN, ET AL

11/25/86 SCHENCK, ET AL

11/25/86 BERGGREN, ET AL 4/14/87 WALSH, ET AL

10/5/82 ANGELCHIK

1/4/83 KASTER

1/18/83 KASTER

3/12/85 MADRAS

6/18/85 DANIEL

8/13/85 RAIBLE

5/20/86 GREEN

5/19/87 JERVIS

6/10/86|SCHENCK

4,350,160

4,352,358

4,366,819 4,368,736

4,503,568

4,523,592

4,534,761

4,553,542

4,589,416 4,593,693

4,603,693

4,607,637

4,624,255 4,624,257

4,657,019 4,665,906

	•	FOREIGN PA	TENT DOCUMENTS			
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

,	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)	
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FORM PTO-1449 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S

INFORMATION DISCLOSURE STATEMENT
JAN 1 6 2004

(Use several sheets if necessary)

ATTY. DOCKET NO.	SERIAL NO.	
143	10/659,057	
APPLICANT:		

Bender, Theodore M. et al.	
FILING DATE:	GROUP:
9/9/03	3731

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EXAMINER	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
INITIAL	4,721,109		HEALEY	CLASS	SUB CLASS	FILING DATE
	4,747,407		LIU, ET AL			
	4,752,024		GREEN ET AL		1	
	4,732,024		SKINNER			
	4,883,453		BERRY, ET AL			
	4,907,591		VASCONCELLOS, ET AL			
			WALSH, ET AL		-	
	4,917,087		BERGGREN, ET AL			<u> </u>
-	4,917,090					
	4,917,091		BERGGREN, ET AL			
	4,930,674		BARAK			
	5,005,749		ARANYI			
	5,062,842		TIFFANY	-		
	5,104,025		MAIN, ET AL			
	5,119,983		GREEN, ET AL			
	5,129,913		RUPPERT			
	5,156,613		SAWYER			
	5,171,262		MACGREGOR			
	5,178,634		MARTINEZ			
	5,187,796		WANG, ET AL			
	5,192,289		JESSEN			
	5,192,294		BLAKE III			· · · ·
	5,193,731		ARANYI		ļ	
	5,205,459		BRINKERHOFF, ET AL			
	5,217,474		ZACCA, ET AL			
	5,221,281	6/22/93	KLICEK			
'	5,222,963	6/29/93	BRINKERHOFF, ET AL			

		FOREIGN F	PATENT DOCUMENTS				
EXAMINÉR INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO	

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FORM PTO-1449	ATTY. DOCKET NO.	SERIAL NO.	
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TRADEMARY	· · · · · · · · · · · · · · · · · · ·	U.S. PATEN	NT DOCUMENTS	· · · · · · · · · · · · · · · · · · ·	·	
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
INITIAL	5,234,447		KASTER, ET AL	- OLAGO	TOOL OLIVO	TIENTO BITTE
	5,250,058		MILLER, ET AL			<u> </u>
-	5,250,060		CARBO, ET AL		 	
	5,271,544	-	FOX, ET AL			
	5,275,322		BRINKERHOFF, ET AL		 -	
	5,285,945		BRINKERHOFF, ET AL			
	5,290,298		REBUFFAT, ET AL			•
	5,292,053		BILOTTI, ET AL			
	5,304,220		MAGINOT			
	5,314,435		GREEN ET AL			
	5,314,468		MARTINEZ			
	5,324,300		ELIAS ET AL			
	5,333,773		MAIN, ET AL			
	5,336,233		CHEN			
	5,344,059		GREEN ET AL			
	5,350,104		MAIN, ET AL			
	5,354,302	10/11/94				
	5,364,389		ANDERSON			
	5,366,462		KASTER, ET AL			
	5,392,979		GREEN ET AL			
	5,395,030		KURAMOTO, ET AL			
	5,395,311	···	ANDREWS			•
	5,403,338	4/4/95	MILO			
	5,423,330	6/13/95	LEE			
	5,443,497	8/22/95	VENBRUX			
	5,447,514	9/5/95	GERRY, ET AL			

		FOREIGN PA	TENT DOCUMENTS				
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U.S. PATENT DOCUMENT	T AL		GROUP: 3731 SUB CLASS	FILING DAT
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U.S. PATENT DOCUMENT EXAMINER INITIAL DOCUMENT NUMBER 5,454,825 10/3/95 VAN LEEUWEN 5,456,712 10/10/95 MAGINOT 5,456,714 10/10/95 OWEN 5,462,062 10/31/95 RUBINSTEIN E 5,464,449 11/7/95 RYAN, ET AL 5,465,895 11/14/95 KNODEL, ET AL 5,470,320 11/28/95 TIEFENBRUN E 5,478,354 12/26/95 TOVEY, ET AL 5,503,635 4/2/96 SAUER, ET AL 5,503,635 4/2/96 SAUER, ET AL 5,515,478 5,522,834 6/4/96 FONGER, ET AL 5,533,661 7/9/96 MAIN, ET AL 5,533,661 7/9/96 MAIN, ET AL 5,5540,677 7/30/96 SINOFSKY 5,555,198 9/3/96 WANG, ET AL 5,556,405 9/17/96 LARY	9/9/03 S ME I T AL		3731	FILING DAT
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3,336,007 9/24/96 1ARBURUUGH	LETAL			
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5,571,167 11/5/96 MAGINOT 5,643,340 7/1/97 NUNOKAWA				
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5,645,520 7/8/97 NAKAMURA, ET AL	I AL		 	
5,657,429 8/12/97 WANG, ET AL				
5,669,918 9/23/97 BALAZS, ET AL	•			 -
5,669,934 9/23/97 SAWYER				
5,676,670 10/14/97 KIM 5,690,662 11/25/97 CHIU ET AL	•			
5,690,662 11/25/97 CHIU ET AL				
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EXAMINER:

DATE CONSIDERED:

FORM PTO-144	O-1449 ATTY. DOCKET NO. SERIAL NO. 143 10/659,057 PATENTS AND OTHER ITEMS FOR APPLICANT'S APPLICANT: Bender, Theodore M. et al.			SERIAL NO. 10/659,057			
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T. AUEN	.]	U.S. PATEN	NT DOCUMEN	ITS	,		
XAMINER	DOCUMENT NUMBER	DATE		NAME	CLASS	SUB CLASS	FILING DATE
INITIAL	DOCUMENT NUMBER 5,693,088		LAZARUS	INAME	CLASS	SUB CLASS	FILING DATE
	5,695,504		GIFFORD III,	FΤΔΙ			
	5,702,412		POPOV ET A				
	5,707,362	1/13/98					
	5,707,380		HINCHLIFFE	ET AI			<u> </u>
	5,709,335	1/20/98		LIAL	+	-	
	5,709,693		TAYLOR		 		
	5,725,544		RYGAARD		-		_
	5,725,553		MOENNING		-		
-	5,732,872	-	BOLDUC, ET	Al			
	5,754,741		WANG, ET A		<u> </u>		
	5,755,778		KLESHINSKI				······································
	5,762,458		WANG, ET A				
	5,779,718		GREEN ET A				
	5,792,135		MADHANI, E	· · · · · · · · · · · · · · · · · · ·			
	5,797,900		MADHANI, E				
	5,797,920	8/25/98					
	5,797,933		SNOW ET AL	_			
	5,799,661		BOYD ET AL				
	5,799,857		ROBERTSON	I, ET AL			
	5,807,377		MADHANI, E				
	5,814,073	9/29/88	BONUTTI				
	5,815,640		WANG, ET A	L			
	5,817,113		GIFFORD III				
	5,825,982		WRIGHT ET			_	
	5,827,316		YOUNG ET A				
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		FOREIGN	PATENT DO	CUMENTS	<u> </u>		
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ATTY. DOCKET NO. SERIAL NO. **FORM PTO-1449** 143 10/659,057 OLIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S **APPLICANT:**

INFORMATION DISCLOSURE STATEMENT JAN 1 6 2004 35

Bender, Theodore M. et al.	
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-		J.S. PATEN	NT DOCUMENTS			
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
INITIAL	5,833,698		HINCHCLIFFE, ET AL	OL 100	505 05 100	TIEME BATE
	5,841,950		WANG, ET AL			
	5,855,583		WANG, ET AL			
	5,868,763		SPENCE ET AL			
-	5,868,764		ROSENGART			
	5,871,495		MUELLER			
	5,875,782		FERARRI, ET AL		†	
	5,878,193		WANG, ET AL			
	5,879,371		GARDINER, ET AL			
	5,881,943		HECK ET AL			
	5,888,247		BENETTI			·
	5,893,369		LEMOLE			
	5,895,403		COLLINSWORTH			
	5,895,404	4/20/99				
	5,904,697	•	GIFFORD III, ET AL			***
	5,907,664		WANG, ET AL			, , , , , , , , , , , , , , , , , , , ,
	5,910,121		PAOLO ET AL			
	5,910,153		MAYENBERGER			
	5,911,036		WRIGHT, ET AL			
	5,915,616		VIOLA, ET AL			
	5,921,995		KLESHINSKI			
	5,944,730	-	NOBLES, ET AL			
	5,947,363		BOLDUC, ET AL			
	5,957,363	9/28/99	-			
•	5,968,089	10/19/99	KRAJICEK			
	5,976,159		BOLDUC, ET AL			. 4,,

		FOREIGN PA	ATENT DOCUMENTS				
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLAT YES	TION NO

	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)	

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FORM PTO-1449 ATTY. DOCKET NO. SERIAL NO. 143 10/659,057 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S APPLICANT: FORMATION DISCLOSURE STATEMENT Bender, Theodore M. et al. JAN 1 6 2004 **FILING DATE: GROUP:** (Use several sheets if necessary) 9/9/03 3731 & TRADEM U.S. PATENT DOCUMENTS **EXAMINER** DOCUMENT NUMBER DATE CLASS SUB CLASS FILING DATE INITIAL NAME 11/2/99 GOLDSTEEN, ET AL 5,976,178 11/23/99 HOUSER ET AL 5,989,276 11/23/99 MUELLER 5,989,278 6,001,124 12/14/99 BACHINSKI 6,007,544 12/28/99 KIM 1/11/00 BERG, ET AL 6.013,190 1/18/00 STEFANCHIK, ET AL 6,015,416 2/8/00 SHERTS 6,022,367 2/15/00 MANZO ET AL 6,024,748 2/29/00 KUPKA, ET AL 6,030,370 2/29/00 NASH, ET AL 6,030,395 6,036,699 3/14/00 ANDREAS, ET AL 3/14/00 STEFANCHIK, ET AL 6,036,700 3/14/00 BACHINSKI, ET AL 6,036,702 6.036,703 3/14/00 EVANS, ET AL 3/14/00 YOON 6,036,704 3/14/00 NASH, ET AL 6,036,705 3/14/00 MCGARRY ET AL 6,036,710 4/18/00 SHIBATA 6,050,472 4/25/00 GREEN, ET AL 6,053,390 6,056,762 5/2/00 NASH, ET AL 5/23/00 WOLF, ET AL 6,066,144 5/23/00 RYGAARD 6,066,148 5/30/00 POPOV ET AL 6,068,637 6/13/00 BERG, ET AL 6,074,416 6/27/00 LYELL 6,080,167 FOREIGN PATENT DOCUMENTS TRANSLATION SUB **EXAMINER** NO INITIAL **COUNTRY CLASS CLASS** YES **DOCUMENT NUMBER** DATE OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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		J.S. PATEN	T DOCUMENTS			
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
INITIAL	6,080,173		WILLIAMSON IV, ET AL	02.00	1000 00 100	TIEMO DATE
	6,080,175		HOGENDIJK		 	
	6,080,176		YOUNG			
	6,083,234		NICHOLAS ET AL			
	6,083,238		ALEXANDER, JR ET AL		<u> </u>	
	6,110,188		NARCISO, JR			
	6,113,612		SWANSON, ET AL			-2
	6,117,148		RAVO, ET AL			
	6,120,432		SULLIVAN, ET AL			
	6,146,393		WAKABAYASHI			
	6,149,681	11/21/00	HOUSER ET AL			-
	6,152,937	11/28/00	PETERSON, ET AL			
	6,152,945	11/28/00	BACHINSKI, ET AL			
	6,165,185	12/26/00	SHENNIB, ET AL	,		
	6,167,889	1/2/01	BENETTI			
	6,171,319	1/9/01	NOBLES, ET AL			
	6,171,321	1/9/01	GIFFORD III, ET AL			
	6,176,413	1/23/01	HECK ET AL			
	6,176,864	1/23/01	CHAPMAN			
	6,176,867	1/23/01	WRIGHT			
	6,183,486	2/6/01	SNOW ET AL			
	6,186,942	2/13/01	SULLIVAN, ET AL			
	6,187,019	2/13/01	STEFANCHIK, ET AL			
	6,187,020	2/13/01	ZEGDI, ET AL			
	6,190,396	2/20/01	WHITIN, ET AL			
	6,190,397	2/20/01	SPENCE ET AL			

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5/10/01 MUELLER

6/21/01 BLATTER ET AL

6/21/01 BLATTER ET AL 8/23/01 BERG, ET AL

9/20/01 BLATTER ET AL

10/11/01 NICHOLAS ET AL 11/1/01 YENCHO ET AL

11/29/01 GIFFORD III, ET AL

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	0 885 595		EUROPE			
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Bender, Theodore M. et al.	
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	00/56228	9/28/00	PCT				
	00/59380	10/12/00	PCT				
	00/66007	11/9/00	PCT				
	00/66009	11/19/00	PCT				
	00/69343	11/23/00	PCT				
	00/69346	11/23/00	PCT				
	00/69349	11/23/00	PCT	-			
	00/69364	11/23/00	PCT				
	00/72764	12/7/00	PCT				
	00/74579	12/14/00	PCT				
	00/76405	12/21/00	PCT				
	01/08601	2/8/01	PCT				
	01/12074	2/22/01	PCT				
	01/15607	3/8/01	PCT				
	01/17440	3/15/01	PCT		,		
	01/19257	3/22/01	PCT				
	01/19259	3/22/01	PCT				
	01/19284	3/22/01	PCT				
	01/34037	5/17/01					
	92/08513	5/29/92	PCT				
	96/25886	8/29/96	PCT	-			
	97/25002	7/17/97	PCT				
	97/27898	8/7/97	PCT				
	97/31575	9/4/97					
	97/47261	12/18/97					
	98/07399	2/26/98					

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	98/42262	10/1/98			-	
	98/47430	10/29/98				
	98/55027	12/10/98				
	99/08603	2/25/99	PCT			
	99/17665	4/15/99	PCT			
	99/18887	4/22/99	PCT			
	99/21491	5/6/99	PCT			
	99/37218	7/29/99	PCT		<u> </u>	
	99/38441	8/5/99	PCT			
	99/38454	8/5/99	PCT			
	99/40851	8/19/99	PCT			
	99/40868	8/19/99	PCT			
	99/45848	9/6/99				
	99/52481	10/21/99				

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	99/63910	12/16/99						
	99/65409	12/23/99	PCT					
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